

## ZONING AND ADJUSTMENT BOARD

June 16, 2003

The Zoning and Adjustment Board of Sumter County, Florida convened on Monday, June 16, 2003 at 6:30 P.M. with the following members present: Chairman Larry Story, Dave Pierazek, Richard Bradley, Evan Merritt, Lamar Parker, Todd Brown, Mark Caruthers, Frank Topping, Rusty Mask, and Dale Nichols. Doug Childers, Jr. and Dossie Singleton were absent. Terry Neal, Board Attorney, was present. Roberta Rogers, Director of Planning & Development, and Aimee Webb, Board Secretary, were present.

The Board members led everyone in the pledge of allegiance and prayer.

Mr. Brown made a motion to approve the minutes from the ZAB Meeting on June 2, 2003. Mr. Bradley seconded the motion and the motion carried.

Mr. Story presented the Proof of Publication.

03S-4

Leland Wayne Brown and Larry Brown

John Parker, representative for the applicant, was present and requesting a small scale comprehensive plan amendment from Agricultural to Commercial on 3.8 acres MOL of an 11.41 acre parcel and extend the Urban Development Boundary to include the subject property. There were no objections from the audience. Mrs. Rogers gave background information regarding the property. There were no further questions or discussion from the Board. Mr. Caruthers made a motion to recommend approval of the comprehensive plan amendment and extend the Urban Development Boundary to the Board of County Commissioners based on the information provided in the staff report. Mr. Mask seconded the motion and the motion carried.

ZP2003-54

Leland Wayne Brown and Larry Brown

John Parker, representative for the applicant, was present and requesting a rezoning from A5 and CH to CL on 11.41 acres MOL. There were three notices sent. Of the three notices sent, none were received in favor and none in objection. There were no objections from the audience. There were no further questions or discussion from the Board. Mr. Topping made a motion to recommend approval of the rezoning to the Board of Sumter County Commissioners based on the information provided in the staff report. Mr. Bradley seconded the motion and the motion carried.

ZP2003-52

Franklin Wickwire

Franklin Wickwire was present and requesting a Temporary Use Permit for three years to allow an additional residence on the property for a care receiver's residence. There were eight notices sent. Of the eight notices sent, one was received in favor and none in objection. There were no objections from the audience. There was a discussion raised as

to the health complications of Mr. Wickwire's son as the doctor's note did not contain sufficient information. There were no further questions or discussion from the Board. Mr. Nichols made a motion to approve the requested Temporary Use Permit based on the information provided in the staff report. Mr. Bradley seconded the motion and the motion carried.

#### ZP2003-53

Margaret Doyle

Margaret Doyle and Ruby Perry, Mrs. Doyle's daughter, were present and requesting a renewal of a Temporary Use Permit (T 9-00-7) for three years to allow a mobile home on the property for a caregiver's residence. There were ten notices sent. Of the ten notices sent, none were received in favor and none in objection. There were no objections from the audience. There were no further questions or discussion from the Board. Mr. Caruthers made a motion to approve the requested Temporary Use Permit based on the information provided in the staff report. Mr. Parker seconded the motion and the motion carried.

#### ZP2003-51

New Life Center Church of God

Cheryl Hannah and Leslie Hannah, representatives for the church, were present and requesting a Special Use Permit for a daycare with a maximum of forty-eight children in the existing church buildings on five acres MOL. There were seven notices sent. Of the seven notices sent, none were received in favor and none in objection. There were no objections from the audience. Mrs. Hannah stated she would like to open a daycare with a maximum of forty-eight children, ranging from 2-4 years of age. There were no further questions or discussion from the Board. Mr. Nichols made a motion to approve the request for the Special Use Permit with conditions based on the information provided in the staff report. Mr. Bradley seconded the motion and the motion carried.

#### ZP2003-46

Paul II & Reba Mazak

Paul Mazak, II and Jim Bassett, P.E. for E Sciences, were present and requesting an amendment of Conditional Use Permit 98-1 adding 604 acres MOL and dewatering for the entire site. Mr. Bradley, Mr. Topping, Mr. Pierazek, Mr. Mask, and Mr. Caruthers stated they had taken a tour of the property. Mr. Nichols, Mr. Story, Mr. Merritt, Mr. Brown and Mr. Parker stated they had spoken with Mr. Mazak. There were twelve notices sent. Of the twelve notices sent, one was received in favor and two in objection. There was one objector in the audience: Mr. Ed Gallagher. The letters of objection were read into the record.

Mr. Bassett gave the Board a brief overview of the existing application and the proposed amendments. The proposed amendment would add five phases, allow dewatering, and have a 42-year duration. Mr. Bassett explained due to the close proximity to CR 736 screening would be required in that area.

The Board discussed the aquifer draw down, dewatering, water retention area, hours of operation, discharge water, blasting, and the regulations for the operating permit. Mr.

Bassett explained 560 acres MOL of the 1004 acres would be used for actual mining and annual mining reports and monthly blasting reports were supplied to the County.

Mr. Gallagher stated he was opposed to the expansion due to the close proximity of the site to his residence, blasting and noise levels. Mr. Gallagher requested it not be permissible to mine the abandoned railroad right-of-way, adjacent property, or the Jumper Creek area.

There were no further questions or discussion from the Board. Mr. Nichols made a motion to recommend approval of the Conditional Use Permit with staff's recommended conditions to the Board of Sumter County Commissioners based on the information in the staff report. Mr. Bradley seconded the motion and the motion carried.

Mr. Topping made a motion to adjourn the meeting. Mr. Nichols seconded the motion and the motion carried.

The meeting adjourned at 7:54 p.m.

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Chairman  
Zoning & Adjustment Board